# **EXHIBIT J**

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US Serial Number: 85203654 Application Filing Dec. 22, 2010

Date:

US Registration 4050765 Registration Date: Nov. 01, 2011

Number:

Register: Principal Mark Type: Trademark

**TM5 Common Status** Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jan. 29, 2021

Publication Date: May 03, 2011 Notice of Allowance Date: Jun. 28, 2011

# **Mark Information**

Mark Literal None

Elements:

Standard Character No

Mark Drawing 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S) Type:

Description of The mark consists of a swirl design.

Mark:

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search 26.01.26 - Swirls; Coils; Spirals

Code(s):

# **Related Properties Information**

International 1080438

Registration Number:

International A0024690/1080438

Application(s) /Registration(s)

Based on this Property:

# **Goods and Services**

#### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION

International 007 - Primary Class

Class(es):

**U.S Class(es):** 013, 019, 021, 023, 031, 034, 035

Class Status: ACTIVE Basis: 1(a)

First Use: Mar. 2000 Use in Commerce: Mar. 2000

# **Basis Information (Case Level)**

Filed Use: No Currently Use: Yes Filed ITU: Yes Currently ITU: No Currently 44E: No Filed 44D: No Filed 44E: No Currently 66A: No Filed 66A: No Currently No Basis: No

Filed No Basis: No

# **Current Owner(s) Information**

Owner Name: BLENDTEC, INC.

Owner Address: 1206 SOUTH 1680 WEST

OREM, UTAH UNITED STATES 84057

Legal Entity Type: CORPORATION State or Country UTAH Where Organized:

# **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: L. Grant Foster Docket Number: T271293.US.0

Attorney Primary ip.docket.slc@dorsey.com Attorney Email Yes Email Address: Authorized:

Correspondent

Correspondent L. Grant Foster

Name/Address: Dorsey & Whitney LLP

111 South Main Street, Suite 2100

IP Department

Salt Lake City, UTAH UNITED STATES 84111-2176

Phone: 801-933-7360 Fax: 801-933-7373

Correspondent e- ip.docket.slc@dorsey.com shimada.tiffany@dorse Correspondent e- Yes

mail: y.com mail Authorized:

# **Domestic Representative - Not Found**

# **Prosecution History**

Date	Description	Proceeding Number	
Nov. 15, 2021	NOTICE OF SUIT		
Jan. 29, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED		
Jan. 29, 2021	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76293	
Jan. 29, 2021	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293	
Jan. 28, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293	
Nov. 04, 2020	TEAS SECTION 8 & 9 RECEIVED		
Nov. 01, 2020	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED		
Mar. 05, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED		
Mar. 05, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED		
Jul. 19, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED		
Jul. 19, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76874	
Jul. 19, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874	
May 26, 2017	TEAS SECTION 8 & 15 RECEIVED		
Nov. 01, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED		
Jan. 14, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP		
Jan. 13, 2015	CORRECTION UNDER SECTION 7 Â- PROCESSED	74886	

	4 of 49	
Dec. 23, 2014	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Dec. 13, 2014	POST REGISTRATION ACTION MAILED - SEC. 7	74886
Dec. 13, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Dec. 08, 2014	TEAS SECTION 7 REQUEST RECEIVED	
Nov. 01, 2011	REGISTERED-PRINCIPAL REGISTER	
Sep. 24, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 23, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Sep. 21, 2011	ASSIGNED TO LIE	74221
Sep. 07, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 07, 2011	STATEMENT OF USE PROCESSING COMPLETE	66530
Sep. 01, 2011	USE AMENDMENT FILED	66530
Sep. 07, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Sep. 01, 2011	TEAS STATEMENT OF USE RECEIVED	
Jun. 28, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 03, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 03, 2011	PUBLISHED FOR OPPOSITION	
Mar. 23, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 22, 2011	ASSIGNED TO EXAMINER	81092
Jan. 03, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 01, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	

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PageID.2504

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# **TM Staff and Location Information**

# TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE Date in Location: Jan. 29, 2021

# **Assignment Abstract Of Title Information**

Summary

Dec. 25, 2010

Total Assignments: 4 Registrant: K-TEC, Inc.

Assignment 1 of 4

Conveyance: CHANGE OF NAME

Reel/Frame: 5436/0914 Pages: 3

Date Recorded: Jan. 08, 2015

Supporting assignment-tm-5436-0914.pdf

**NEW APPLICATION ENTERED** 

Case 2:21-cv-00668-TC-DBP

Documents:

Assignor

 Name:
 K-TEC, INCORPORATED
 Execution Date:
 Dec. 30, 2014

 Legal Entity Type:
 CORPORATION
 State or Country
 UTAH

Where Organized:

Assignee

Name: <u>BLENDTEC</u>, INC.

Legal Entity Type: CORPORATION State or Country UTAH

Where Organized:

Address: 1206 SOUTH 1680 WEST

OREM, UTAH 84058

Correspondent

Correspondent L. GRANT FOSTER, HOLLAND & HART LLP

Name:

Correspondent P.O. BOX 11583

Address: SALT LAKE CITY, UT 84110

Domestic Representative - Not Found

Assignment 2 of 4

Case 2:21-cv-00668-TC-DBP Document 122-14 Filed 05/16/23 PageID.2505 Page

Conveyance: SECURITY INTEREST

Reel/Frame: 5829/0333 Pages: 13

Date Recorded: Jul. 05, 2016

Supporting assignment-tm-5829-0333.pdf

Documents:

Assignor

Name: BLENDTEC, INC. Execution Date: May 31, 2016

Legal Entity Type: CORPORATION State or Country UTAH

Where Organized:

DBA, AKA, TA, FORMERLY K-TEC, INCORPORATED

Formerly:

Assignee

Name: ZB, N.A.

Legal Entity Type: NATIONAL BANKING ASSOCIATION State or Country UNITED STATES

Where Organized:

Address: ONE SOUTH MAIN STREET

SUITE 300

SALT LAKE CITY, UTAH 84133

DBA, AKA, TA, DBA ZIONS FIRST NATIONAL BANK

Formerly:

Correspondent

Correspondent S. BRANDON OWEN

Name:

Correspondent 36 SOUTH STATE STREET

Address: SUITE 1400

SALT LAKE CITY, UT 84111

#### **Domestic Representative - Not Found**

#### Assignment 3 of 4

Conveyance: RELEASE BY SECURED PARTY

**Reel/Frame:** <u>5846/0864</u> **Pages:** 11

Date Recorded: Aug. 04, 2016

Supporting assignment-tm-5846-0864.pdf

Documents:

Assignor

Name: ZB, N.A. Execution Date: Aug. 03, 2016

Legal Entity Type: NATIONAL BANKING ASSOCIATION State or Country UTAH

Where Organized:

Assignee

Name: BLENDTEC, INC.

Legal Entity Type: CORPORATION State or Country UTAH

Where Organized:

**Address:** 1206 S 1680 W

**OREM, UTAH 84058** 

Correspondent

Correspondent S. BRANDON OWEN

Name:

Correspondent 36 SOUTH STATE STREET

Address: SUITE 1400

SALT LAKE CITY, UT 84111

#### **Domestic Representative - Not Found**

## Assignment 4 of 4

Conveyance: SECURITY INTEREST

Date Recorded: Feb. 15, 2017

**Supporting** assignment-tm-5989-0272.pdf

Documents:

**Assignor** 

Execution Date: Feb. 07, 2017

Legal Entity Type: CORPORATION

State or Country UTAH Where Organized:

Assignee

Name: WASATCH BT LOAN FUND, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY State or Country UTAH

Where Organized:

Address: 299 S MAIN ST, STE 2400

Name: BLENDTEC, INC.

SALT LAKE CITY, UTAH 84111

Correspondent

Correspondent BRETT J. DAVIS

Name:

Correspondent 136 E SOUTH TEMPLE, SUITE 1900

Address: SALT LAKE CITY, UT 84111

**Domestic Representative - Not Found** 

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OMB No. 0651-0055 (Exp 10/31/2021)

# Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

# The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	4050765
REGISTRATION DATE	11/01/2011
SERIAL NUMBER	85203654
MARK SECTION	
MARK	Miscellaneous Mark (stylized and/or with design, see mark)
ATTORNEY INFORMATION (current)	
NAME	L. Grant Foster
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	Dorsey & Whitney LLP
INTERNAL ADDRESS	IP Department
STREET	111 South Main Street, Suite 2100
CITY	Salt Lake City
STATE	Utah
POSTAL CODE	84111-2176
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	801-933-7360
EMAIL	ip.docket.slc@dorsey.com
ATTORNEY INFORMATION (proposed)	
NAME	L. Grant Foster
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Dorsey & Whitney LLP
INTERNAL ADDRESS	IP Department
STREET	111 South Main Street, Suite 2100
CITY	Salt Lake City
STATE	Utah
POSTAL CODE	84111-2176

Page

COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	801-933-7360
FAX	801-933-7373
EMAIL	ip.docket.slc@dorsey.com
DOCKET/REFERENCE NUMBER	T271293.US.0
OTHER APPOINTED ATTORNEY	Lisa A. Osman and Tiffany D.W. Shimada
CORRESPONDENCE INFORMATION (curre	ent)
NAME	L. Grant Foster
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	ip.docket.slc@dorsey.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
CORRESPONDENCE INFORMATION (prope	osed)
NAME	L. Grant Foster
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	ip.docket.slc@dorsey.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	shimada.tiffany@dorsey.com
DOCKET/REFERENCE NUMBER	T271293.US.0
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	007
GOODS OR SERVICES	ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN0-170112245-2020110210 4139819510Renewal_spec imen_1_twisted_jar_for_fo_od_prep.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT18\IMAGEOUT 18\852\036\85203654\xml2\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
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ORIGINAL PDF FILE	<u>SPN0-170112245-2020110210 4139819510Renewal_specimen_2_lid_for_blender.pdf</u>
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT18\IMAGEOUT 18\852\036\85203654\xml2\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
ORIGINAL PDF FILE	<u>SPN0-170112245-2020110210 4139819510Renewal_specimen_3_blender.pdf</u>
CONVERTED PDF FILE(S) (3 pages)	\\\TICRS\EXPORT18\IMAGEOUT 18\852\036\85203654\xml2\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
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	\\\TICRS\EXPORT18\IMAGEOUT 18\852\036\85203654\xml2\

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Document 122-14 10 of 49 -20201104142516693605-405 0765-7503d9da1c4e238ddbd2 TEAS STAMP 4a679d228b5b13da4f259893c a8b2b531e31a7b77e617-CC-2 5159792-20201102104139819

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Filed 05/16/23

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Case 2:21-cv-00668-TC-DBP

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PTO Form 1963 (Rev 05/2006)

OMB No. 0651-0055 (Exp 10/31/2021)

# Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

#### **To the Commissioner for Trademarks:**

REGISTRATION NUMBER: 4050765 REGISTRATION DATE: 11/01/2011

MARK: (Stylized and/or with Design, Miscellaneous Mark (see, mark))

Current: The owner, BLENDTEC, INC., a corporation of Utah, having an address of 1206 SOUTH 1680 WEST

OREM, Utah 84058 United States

Office States

Proposed: The owner, BLENDTEC, INC., a corporation of Utah, having an address of

1206 SOUTH 1680 WEST OREM, Utah 84057 United States XXXX

is filing a Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9.

For International Class 007, the mark is in use in commerce on or in connection with **all** goods/services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION; or, the owner is making the listed excusable nonuse claim.

The owner is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) two electronic displays which displays the product, provides a means of ordering the product and bears the mark in connection with the product and a photo of the lid for the product bearing the mark.

#### **Original PDF file:**

SPN0-170112245-2020110210 4139819510 . Renewal\_spec imen\_1\_twisted\_jar\_for\_fo od\_prep.pdf

Converted PDF file(s) (3 pages)

Specimen File1

Specimen File2

Specimen File3

## **Original PDF file:**

SPN0-170112245-2020110210 4139819510\_.\_Renewal\_spec imen\_2\_lid\_for\_blender.pdf

Converted PDF file(s) (1 page)

Specimen File1

#### **Original PDF file:**

SPN0-170112245-2020110210 4139819510\_.\_Renewal\_spec imen\_3\_blender.pdf

Converted PDF file(s) (3 pages)

Specimen File1

Specimen File2

Specimen File3

The owner's/holder's current attorney information: L. Grant Foster. L. Grant Foster of Dorsey & Whitney LLP, is located at

IP Department 111 South Main Street, Suite 2100 Salt Lake City, Utah 84111-2176 United States

The phone number is 801-933-7360.

The email address is ip.docket.slc@dorsey.com

The owner's/holder's proposed attorney information: L. Grant Foster. Other appointed attorneys are Lisa A. Osman and Tiffany D.W. Shimada. L. Grant Foster of Dorsey & Whitney LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

**IP** Department 111 South Main Street, Suite 2100 Salt Lake City, Utah 84111-2176 United States

The docket/reference number is T271293.US.0.

The phone number is 801-933-7360.

The fax number is 801-933-7373.

The email address is ip.docket.slc@dorsey.com

L. Grant Foster submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

## **Correspondence Information (current):**

L. Grant Foster PRIMARY EMAIL FOR CORRESPONDENCE: ip.docket.slc@dorsey.com SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

## **Correspondence Information (proposed):**

L. Grant Foster PRIMARY EMAIL FOR CORRESPONDENCE: ip.docket.slc@dorsey.com  $SECONDARY\ EMAIL\ ADDRESS(ES)\ (COURTESY\ COPIES):\ shimada.tiffany@dorsey.com$ 

The docket/reference number is T271293.US.0.

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$425 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

#### **Declaration**

$\checkmark$	Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).
$\checkmark$	Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.
$\checkmark$	The registrant requests that the registration be renewed for the goods/services/collective organization identified above.
$\checkmark$	To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
<b>V</b>	The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Michael Monson/ Date: 11/02/2020

Signatory's Name: Michael Monson Signatory's Position: General Counsel Signatory's Phone: xxx-xxx-xxxx

Mailing Address (current):

Dorsey & Whitney LLP 111 South Main Street, Suite 2100 Salt Lake City, Utah 84111-2176

# Mailing Address (proposed):

Dorsey & Whitney LLP 111 South Main Street, Suite 2100 Salt Lake City, Utah 84111-2176

Serial Number: 85203654

Internet Transmission Date: Wed Nov 04 14:25:16 ET 2020

TEAS Stamp: USPTO/S08N09-XXX.XXX.XX.XX-20201104142516

693605-4050765-7503d9da1c4e238ddbd24a679 d228b5b13da4f259893ca8b2b531e31a7b77e617 -CC-25159792-20201102104139819510

screenshot-www.blendtec.com-2020.10.30-10\_11\_07
https://www.blendtec.com/products/twister-jar?pr\_prod\_strat=collection\_fallback&pr\_rec\_pid=11227119892&pr\_rel\_pid=11227112660&pr\_ser\_uniform
30.10.2026

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DUE TO THE IMPACTS OF THE COVID 19 PANDEMIC ON OUR SUPPLY CHAIN, THERE MIGHT BE DELAY IN RECEIVING YOUR ONLINE ORDER. WE APOLOGIZE FOR ANY INCONVENIENCE Oblendtec. RESIDENTIAL - COMMERCIAL - RECIPES d Ä Twister Jar \$129.95 Add to cart Buy with amazon pay More payment options Starting at \$12/mo with affirm. Prequalify Now For the Thickest Blends The Twister jar features all of these unique Blendtec advantages: · Extra-strong, patented single-prong tuned wingtip blade . Easy-to-read jar markings up to 16 fl oz Made from impact-resistant, BPA-free copolyester Compatible with all Blendtec consumer blenders (not compatible with Blendtec mixers) The Twister jar is ideal for: Bread & cookie crumbs Nut butters Hummus · Baby food · Single-serve smoothies To use the jar, simply add ingredients and twist the lid counterclockwise while the blend cycle is running. This twisting motion forces the ingredients from the sides of the jar back into the blade, allowing you to achieve a perfect blend every time. Also included is the Spectacula™ spatula—engineered specifically for the Twister. We made this spatula just the right length and shape so you can get nearly every morsel out of your jar. f Share Y Tweet P Pin it Reviews Rating Snapshot Average Customer Ratings Select a row below to filter reviews. Overall 4.5 Quality of Product 4.6 18 4.2 Value of Product 11 Ease of Use 1-8 of 20 Reviews Sort by: Most Relevant ▼ ■ \*\*\*\* Murel - a year ago Lid that is durable and works After making soup and frothing coffee for two and half years the original lid was getting a little loose but still sealed well. I bought a new lid for when the old one gives up the ghost. Blendtec make great, durable blenders! Quality of Product Value of Product Ease of Use Helpful? No. 1 | For 0 | For 1 \*\*\*\* Kelster - 2 years ago They did an awesome job!

My blendtek needed a new lid the old one lasted many years but needed replaced and the new one was at a great price very fair! And works awesome!

Ease of Use

Quality of Product Value of Product

Helpful? Yes+1 No+0 Report	
★★★★ Mandy · 2 years ago	
Perfect replacement	
Ordered another lid because my roommates lost the original got here quick and I was able to get my blend on again!	Quality of Product
	Value of Product
	Ease of Use
Helpful? Yes 1 No 0 Report	
***** Nhung - a year ago	
Good product	
bought it last month to replace for my old one. It fits well to the jar and works perfectly. Thank you.	Quality of Product
	Value of Product
	Ease of Use
Helpful? Yes+1 No=0 Report	
**** V Duke13 · 3 years ago	
Our dog ate our original Blendtec Lid so ordered this replacement. Product arrived quickly and was exactly as advertised.  -lappy with my purchase.	Quality of Product
тарру with my purchase.	Mary of Product
	Value of Product
	Ease of Use
LINE CONTRACTOR OF THE CONTRAC	
Helpful? Yos-1 No-1 Report	
★★★★★ USr1 - a year ago Way better than their first lids	
have been waiting a few years for Blentec to improve on the legacy lid which leaked and would seal only if it was wet. The	Quality of Product
new lid holds firmly on the inside and outer sides of the lid perfectly sealing all sides of the jar lip. I recommend these lids to snyone and would buy again.	
	Value of Product
	Ease of Use
Helpful? Yes 0 No 0 Report	
k★★★★ Wendy 70665 - 6 months ago Llove the bigger opening!	
Even more than having a bigger opening. I lost the little clear thing for my first top in moving, and it would be quite a bit	Quality of Product
narder to lose this top! Also, the pieces to this top fit well in the bottom part of the dishwasher, making everything so much assler!	
	Value of Product
	Ease of Use
Helpful? Yes 0 No 0 Report	
***** Lid lover - 3 months ago Love my new lid	
The old lid which got lost was not as snug fitting. I temporarily used Tupperware lids in the meantime to make do and it	Quality of Product
always leaked. This new lid fit snugly and I have no more leaks or splatters. No more having to clean up after every blender 158.	
	Value of Product
	Ease of Use
Helpful? Yes+0 No+0 Report	
1-8 of 20 Reviews	4

# You may also like









#### Filed 05/16/23 PageID.2516 **Document 122-14** Case 2:21-cv-00668-TC-DBP Page 16 of 49







Total Blender + Red and Total Blender + Green and Purple Blendfresh Bundle <del>\$399.95</del> \$299.95



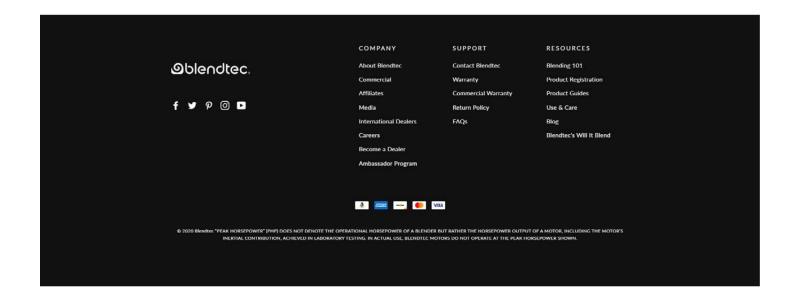
WildSide+ Jar \$129.95



FourSide Jar \$109.95



F-Filter \$2.50





screenshot-www.blendtec.com-2020.10.30-10\_28\_21 https://www.blendtec.com/collections/professional-blenders/products/professional-801

DUE TO THE IMPACTS OF THE COVID 19 PANDEMIC ON OUR SUPPLY CHAIN, THERE MIGHT BE DELAY IN RECEIVING YOUR ONLINE ORDER. WE APOLOGIZE FOR ANY INCONVENIENCE

Oblendtec.

RESIDENTIAL - COMMERCIAL - RECIPES











## Professional 800 \$1,099.95 \$799.95



#### The World's Quietest Blender

If you are looking for the best quiet blender, the Professional 800 boasts the most advanced blending technology ever seen.

#### Features include:

- Ultra powerful 1800 watt motor
- · Illuminated, capacitive touch interface
- Pre-programmed cycles: Batters, Mixed Drinks, Smoothie, Frozen Treats, Whole Juice, and Hot Soup
- 11-speed manual touch slider + Pulse
- Illuminated display provides feedback, information, and time remaining
- · Exclusive sound enclosure-a truly silent blender

#### Stealth Technology™.

The Professional 800 is the guietest blender that operates at a sound level that won't interrupt. Housed in a sleek, sealed sound enclosure, it features the most advanced proprietary sound dampening and airflow innovations anywhere-proving that industrial-strength power doesn't require industrial-strength noise.

## 11-Speed Touch Slider + Pulse

For the ultimate precision speed control, the Professional 800 features an 11-speed capacitive touch slider. Users can blend to the perfect consistency simply by sliding a finger up and down the control panel. The pulse button adds a burst of high-speed blending power all while keeping the noise level at a minimum.

#### 6 Preprogrammed Blend Cycles

Six pre-programmed blend cycles are customized to blend just about any recipe-from green smoothies to margaritas to hot soups-with the touch of an icon.



#### Reviews

\*\*\*\*

\*\*\*\* MaryLou - 3 years ago amazing power

I've only had this blender a wk. Its amazing! I've made "whole food" smoothies each morning. I don't need to cut anything up, remove seeds, or peel anything except in rare cases when unhealthy. This means I get the health benefits that actually grow in these fruits & veggles, their pits, & peels. I can't walk to try making ice cream blends & hot soups. I'd heard these blenders were too noisy, but that's not my experience at all. I love it.

	The Parameters
A Disco.	100 ATTOM/ 100 ATTOM/

uality of Product		
alue of Product		
ase of Use		

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Helpful?		

#### \*\*\*\* Angw11 - 5 years ago

#### Best Kitchen Appliance Purchase Ever

We LOVE this blender. It puts every previous blender purchase to shame. We purchased it through Costco at a pretty reasonable price which included the wild side jar. Pretty reasonable by pricey blender standards anyway. We debated a lot between Blendere and a Vitansin, but the features/cost of the Blendere won out and we haven't had a shred of regret. The blending is thoroughly awesome and the ability to heat things up (like making steamed milk) is easy and efficient. Our smoothle are lighter and better blended without stoppling repeatedly to try to scrape the sides down and hand-stir to keep things moving, even those that include solidly frozen items. This was a great investment and after a year we are still very harmy.

Quality of Product Value of Product Ease of Use

Helpful?

#### \*\*\* Rachel Owlglass • 5 years ago

#### Life changing ... really!

Got this model about 2 years ago & it's FAN-TASTIC! In addition to soups & green smoothies I make tons of pesto & romesco small amounts of almond meal all the time, some doughs, tons of fruit &/or vegetable-based condiments ... plus plus plus, So many more vegetable-based dishes now because it's so much easier to precisely & easily process the veg. Inspired by a friend's post on Fosebook from 2 years ago that came up as old memory ... read my question to him about high-powered blender, now passing this on to YOU>

Quality of Product Value of Product Ease of Use

Helpful?

#### ★★★★ Shop4Value - 5 years ago Love it! Using it every day!

I bought this from Costco com in May 2015 for a fabulous wholesale price. The package from Costco included also a Twister Jar. I was skeptical at first because the package still cost significantly more than most blenders out there, but it has turned out to be an excellent purchase! My doughter and I have enjoyed making fruit smoothies, frozen drink, whole juice, etc. DAILY since I bought it Everything comes out smooth and evenly blended. Very powerful machine but simple to use and easy to clean up. Its blades are truly blunt so you don't accidentally cut your fingers when you clean it up. But I rarely need to even put my hands into the jar, just a drop of soops, some water, and 20 seconds of puising are enough to clean it up completely. One inherent issue often found with machines with powerful motor: It's VERY LOUD! usually must cover my east while it operates. I wanted to give it a 5-star, but taking back 1 star due to its loudness. Hopefully, Blendtec can sound-proof the motor better in future production?

Quality of Product Value of Product

Helpful?

#### \*\*\*\* oceanme - 4 years ago

#### Powerful! Easy to use!

Thanks for reading this...:)

Very Happy with the 750 Pro. A breeze to clean...but don't use a sponge with a scrub pad. It did scratch up the plastic. I wish I knew that first. And also my friend said do not put it in the dishwasher, it will fog the plastic forever. I have had the blender for about 3 weeks now. And I do use it everyday. Con: Still very loud!

Quality of Product

Value of Product Ease of Use

Helpful?

#### \*\*\*\* NeilC - 4 years ago No Buyer's Remorse

The had this Blendtec Professional 750 about a month now, and I have no buyer's remorse. Before I made this purchase, I did a bunch of research comparing the offerings from Vitamix and Blendtec, and now I see up-close how well-made and heavy-duty/solid this Blendtec model is. I discovered some of Blendtec's original technologies were ripped off by Vitamix, so that also factored into my choice of brand. I like the different cycles, preprogrammed for different results. I'm Impressed and am looking forward to trying new some recipes with it.

Quality of Product Value of Product

Ease of Use

Helpful?

#### \*\*\*\* JV DesignWorks - 4 years ago

#### Top Quality Blender

Appropriately priced for the quality and performance of this model. This is a heavy commercial-style blender that will break down root vegetables, seeds and frozen fruits into a velvety smoothle and turn itself off in 60 seconds. My only regret is the lineup of inferior blenders that i tried previously.

Quality of Product Value of Product

Ease of Use

Helpful?

## ★★★★ DJ Gemini - 4 years ago

Best Blender ever

I bought this blended AFTER buying a Vitamix The Vitamix did it's job too but this was a better looking and better built blender in side by side comparison. Love the preset modes and the pulverizing blade. Works flawlessly.

Quality of Product

Value of Product

Ease of Use

## You may also like



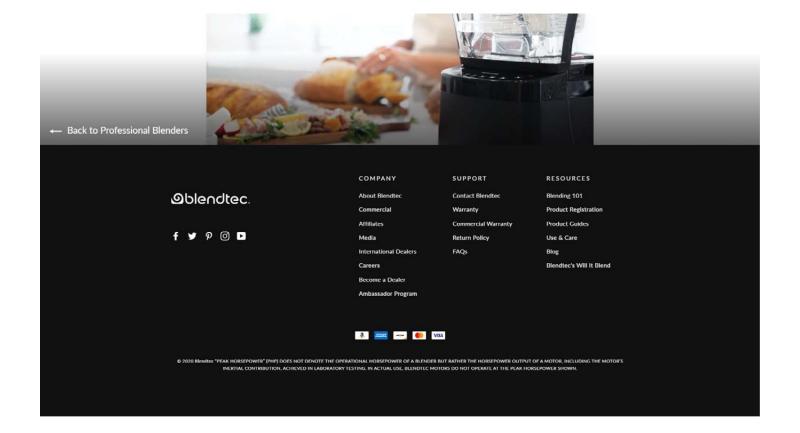




and Purple Blendfresh Bundle \$399.95 \$299.95



Professional 750 \$749.95



# **ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 4050765





RAM Sale Number: 4050765

RAM Accounting Date: 20201104 **Total Fees:** 

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	Fee	Transaction	Fee per	Number	Number of	Total
	<u>Code</u>	<u>Date</u>	<u>Class</u>	of Classes	Classes Paid	<u>Fee</u>
§8 affidavit	7205	20201104	\$125	1	1	\$125
Application for Renewal (§9)	7201	20201104	\$300	1	1	\$300

Physical Location: MADCD- NO PHYSICAL FILE

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20201104



Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OMB No. 0651-0055 (Exp 07/31/2018)

# Combined Declaration of Use and Incontestability under Sections 8 & 15

# The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	4050765
REGISTRATION DATE	11/01/2011
SERIAL NUMBER	85203654
MARK SECTION	
MARK	Miscellaneous Mark (stylized and/or with design, see https://tmng-al.uspto.gov/resting2/api/img/85203654/large)
ATTORNEY SECTION (current)	
NAME	L. Grant Foster
FIRM NAME	HOLLAND & HART LLP
STREET	222 S MAIN ST STE 2200
CITY	SALT LAKE CITY
STATE	Utah
POSTAL CODE	84101-2194
COUNTRY	United States
PHONE	801-799-5830
FAX	801-799-5700
EMAIL	slcipdocket@hollandhart.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	46264.0074
ATTORNEY SECTION (proposed)	
NAME	L. Grant Foster
FIRM NAME	HOLLAND & HART LLP
STREET	P.O. Box 11583
CITY	SALT LAKE CITY
STATE	Utah
POSTAL CODE	84110
COUNTRY	United States
PHONE	8017995802
EMAIL	docket@hollandhart.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	46264.0074

OTHER APPOINTED ATTORNEY	H. Matthew Horlacher, Tiffany D. Shimada, Bradley B. Jensen, Scott S. Havlick, Ester Mailaro, Andrew Roppel, Larry Tronco and all other attorneys at Holland & Hart			
CORRESPONDENCE SECTION (current)				
NAME	L. GRANT FOSTER			
FIRM NAME HOLLAND & HART LLP				
STREET	222 S MAIN ST STE 2200			
CITY	SALT LAKE CITY			
STATE	Utah			
POSTAL CODE	84101-2194			
COUNTRY	United States			
PHONE	801-799-5830			
FAX	801-799-5700			
EMAIL	slcipdocket@hollandhart.com			
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes			
DOCKET/REFERENCE NUMBER	46264.0074			
CORRESPONDENCE SECTION (proposed)				
NAME	L. GRANT FOSTER			
FIRM NAME	HOLLAND & HART LLP			
STREET	P.O. Box 11583			
CITY	SALT LAKE CITY			
STATE	Utah			
POSTAL CODE	84110			
COUNTRY	United States			
PHONE	8017995802			
EMAIL	docket@hollandhart.com; tdshimada@hollandhart.com; klanderson@hollandhart.com; cathomas@hollandhart.com; kcase@hollandhart.com			
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes			
DOCKET/REFERENCE NUMBER	46264.0074			
GOODS AND/OR SERVICES SECTION				
INTERNATIONAL CLASS	007			
GOODS OR SERVICES	ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION			
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\852\036\85203654\xml2\\ 8150002.JPG			
SPECIMEN DESCRIPTION	webpage showing use of the mark in the sale of the goods			
OWNER SECTION (current)				
NAME	BLENDTEC, INC.			
STREET	1206 SOUTH 1680 WEST			

CITY	OREM		
STATE	Utah		
ZIP/POSTAL CODE	84058		
COUNTRY	United States		
LEGAL ENTITY SECTION (current)			
ТУРЕ	corporation		
STATE/COUNTRY OF INCORPORATION	Utah		
PAYMENT SECTION			
NUMBER OF CLASSES	1		
NUMBER OF CLASSES PAID	1		
COMBINED §§ 8 & 15 FILING FEE PER CLASS	325		
TOTAL FEE PAID	325		
SIGNATURE SECTION			
SIGNATURE	/Tiffany Shimada/		
SIGNATORY'S NAME	Tiffany Shimada		
SIGNATORY'S POSITION	Attorney of Record, Utah Bar Member		
DATE SIGNED	05/26/2017		
SIGNATORY'S PHONE NUMBER	801.799.5892		
PAYMENT METHOD	CC		
FILING INFORMATION			
SUBMIT DATE	Fri May 26 20:21:11 EDT 2017		
TEAS STAMP	USPTO/S08N15-XX.XXX.XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX		

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OMB No. 0651-0055 (Exp 07/31/2018)

# Combined Declaration of Use and Incontestability under Sections 8 & 15

#### To the Commissioner for Trademarks:

**REGISTRATION NUMBER:** 4050765 **REGISTRATION DATE:** 11/01/2011

MARK: (Stylized and/or with Design, Miscellaneous Mark (see, mark))

The owner, BLENDTEC, INC., a corporation of Utah, having an address of

1206 SOUTH 1680 WEST OREM, Utah 84058 United States

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 007, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) webpage showing use of the mark in the sale of the goods.

Specimen File1

The registrant's current Attorney Information: L. Grant Foster of HOLLAND & HART LLP

222~S~MAIN~ST~STE~2200

SALT LAKE CITY, Utah 84101-2194

**United States** 

The phone number is 801-799-5830.

The fax number is 801-799-5700.

The email address is slcipdocket@hollandhart.com. (authorized)

The docket/reference number is 46264.0074.

The registrant's proposed Attorney Information: L. Grant Foster of HOLLAND & HART LLP

P.O. Box 11583

SALT LAKE CITY, Utah 84110

United States The docket/reference number is 46264.0074.

The Other Appointed Attorney(s): H. Matthew Horlacher, Tiffany D. Shimada, Bradley B. Jensen, Scott S. Havlick, Ester Mailaro, Andrew Roppel, Larry Tronco and all other attorneys at Holland & Hart.

The phone number is 8017995802.

The email address is docket@hollandhart.com. (authorized)

The registrant's current Correspondence Information: L. GRANT FOSTER of HOLLAND & HART LLP

222 S MAIN ST STE 2200

SALT LAKE CITY, Utah 84101-2194

**United States** 

The phone number is 801-799-5830.

The fax number is 801-799-5700.

The email address is slcipdocket@hollandhart.com. (authorized)

The docket/reference number is 46264.0074.

The registrant's proposed Correspondence Information: L. GRANT FOSTER of HOLLAND & HART LLP

P.O. Box 11583

SALT LAKE CITY, Utah 84110

United States The docket/reference number is 46264.0074.

The phone number is 8017995802.

The email address is docket@hollandhart.com; tdshimada@hollandhart.com; klanderson@hollandhart.com; cathomas@hollandhart.com; kcase@hollandhart.com. (authorized)

A fee payment in the amount of \$325 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

#### **Declaration**

$\checkmark$	Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).
$\checkmark$	Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.
$\checkmark$	The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under 15 U.S.C. § 1062(c), and is still in use in commerce on or in connection with all goods/services, or to indicate membership in the collective membership organization, listed in the existing registration.
$\checkmark$	There has been no final decision adverse to the owner's claim of ownership of such mark for such goods/services, or to indicate membership in the collective membership organization, or to the owner's right to register the same or to keep the same on the register.
$\checkmark$	There is no proceeding involving said rights pending and not finally disposed of either in the United States Patent and Trademark Office or in a court.
<b>V</b>	To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Tiffany Shimada/ Date: 05/26/2017

Signatory's Name: Tiffany Shimada

Signatory's Position: Attorney of Record, Utah Bar Member

allegations and other factual contentions made above have evidentiary support.

Signatory's Phone: 801.799.5892

Mailing Address (**current**): HOLLAND & HART LLP 222 S MAIN ST STE 2200 SALT LAKE CITY, Utah 84101-2194

Mailing Address (**proposed**): HOLLAND & HART LLP P.O. Box 11583 SALT LAKE CITY, Utah 84110

Serial Number: 85203654

Internet Transmission Date: Fri May 26 20:21:11 EDT 2017 TEAS Stamp: USPTO/S08N15-XX.XXX.XXX.XXX.2017052620211 1605290-4050765-590be4bc70dc81f094b12aec 13ff57adda5c7d36797d965ff15dde54ab76dd92 ab-CC-6190-20170526144303323745

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#### Designer 725

SmartBlend technology, multi-speed pulse, a 100-speed touch slider, and a sleek, show-stopping design make the Designer 725 the star of any  $\,$ 

#### Package Includes:

- Designer 725 motor base
   BPA-free lar with vented Gripper™ lid
- Blending 101 quick-start guide and recipes

★★★★ 4.8 (97) Write a review Ask a question













#### The World's Smartest Blender

The Blendtec Designer 725 boasts the most advanced blending technology ever seen

- \* 3.8 peak horsepower motor
- Illuminated, capacitive touch interface
- Preprogrammed cycles: Smoothle, Salsa, Ice Cream, Whole Juice, Hot Soup, Clean
   100-speed capacitive touch slider
- Illuminated display indicates remaining blend time

#### SmartBlend Technology

The Blendtec Designer 725 is truly the blender with a brain. Our exclusive SmartBlend technology senses and identifies potential problems that could interfere with the perfect blend-including loading errors, overheating, or air pockets - and then tells users how to fix them.

#### 100-Speed Capacitive Touch Slider + Multi-Speed Pulse

Get seamless precision speed control for 100 speeds with the slide of a finger. It even tells you which speed to use for stirring, chopping, mixing, blending, or pureeing. Use Multi-Speed Pulse for an added burst of power at any speed.

#### Preprogrammed Blend Cycles

Six preprogrammed custom cycles enable one-touch blending perfection: Smoothle, Salsa, Ice Cream, Whole Juice, Hot Soup, and Clean. The Designer 725 even suggests additional uses for each cycle so you know how to get the most from your blender.



#### Tap For More

During any blend cycle, easily add 10 seconds with a single tap to the blend cycle icon you are currently using. So you can achieve just the consistency you're looking for.

#### COMPANY

About Us Careers Media Affiliates Commercial Become a Dealer International Dealers

#### CUSTOMER SUPPORT

1-800-748-5400 Contact Us Warranty Commercial Warranty Return Policy FAQs

#### RESOURCES

Register a Product Use & Care









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PRIVACY POLICY | TERMS & CONDITIONS









 $<sup>^*</sup>$  "PEAK HORSEPOWER" (PHP) DOES NOT DENOTE THE OPERATIONAL HORSEPOWER OF A BLENDER BUT RATHER THE HORSEPOWER OUTPUT OF A MOTOR, INCLUDING THE MOTOR'S INERTIAL CONTRIBUTION, ACHIEVED IN LABORATORY TESTING. IN ACTUAL USE BLENDTEC MOTORS DO NOT OPERATE AT THE PEAK HORSEPOWER SHOWN.

ROUTING SHEET TO POST REGISTRATION (PRU)

**Registration Number:** 4050765

PageID.2528





RAM Sale Number: 4050765

**RAM Accounting Date: 20170530 Total Fees:** 

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	Fee	Transaction	Fee per	Number	Number of	Total
	<u>Code</u>	<u>Date</u>	<u>Class</u>	of Classes	Classes Paid	<u>Fee</u>
§8 affidavit	7205	20170526	\$125	1	1	\$125
§15 affidavit	7208	20170526	\$200	1	1	\$200

Physical Location: MADCD- ALEX. CENTRAL DOCKET

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20170526



PTO Form 1597 (Rev 11/2007) OMB No. 0651-0055 (Exp. 07/31/2018)

# **Section 7 Request Form**

# The table below presents the data as entered.

Input Field	Entered		
REGISTRATION NUMBER	4050765		
LAW OFFICE ASSIGNED	LAW OFFICE 112		
SERIAL NUMBER	85203654		
MARK SECTION			
MARK FILE NAME	http://tsdr.uspto.gov/img/85203654/large		
LITERAL ELEMENT	Miscellaneous Mark		
STANDARD CHARACTERS	NO		
USPTO-GENERATED IMAGE	NO		
OWNER SECTION (current)			
NAME	K-TEC, Inc.		
STREET	1206 South 1680 West		
CITY	Orem		
STATE	Utah		
ZIP/POSTAL CODE	84058		
COUNTRY	United States		
LEGAL ENTITY SECTION (current)			
ТҮРЕ	corporation		
STATE/COUNTRY OF INCORPORATION	Utah		
EXPLANATION OF FILING			
Applicant respectfully requests that the date of first use anywhere and the date of first use in commerce be amended from 10/07/2010 to 03/00/2000 and a new certificate be issued.			
GOODS AND/OR SERVICES SECTION (current)			
U.S. CLASS 007			
IDENTIFICATION			
ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION			
FILING BASIS	Section 1(a)		
FIRST USE ANYWHERE DATE	At least as early as 10/07/2010		
FIRST USE IN COMMERCE DATE	At least as early as 10/07/2010		
GOODS AND/OR SERVICES SECTION (proposed)			
U.S. CLASS	007		
IDENTIFICATION			
ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION			

FILING BASIS	Section 1(a)		
FIRST USE ANYWHERE DATE	At least as early as 03/00/2000		
FIRST USE IN COMMERCE DATE	At least as early as 03/00/2000		
ATTORNEY SECTION			
ORIGINAL ADDRESS	L. GRANT FOSTER HOLLAND & HART LLP 222 S MAIN ST STE 2200 SALT LAKE CITY Utah (UT) United States (USX) 84101-2194		
NEW ATTORNEY SECTION			
NAME	L. Grant Foster		
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	46264.0074		
STREET	222 S MAIN ST STE 2200		
CITY	SALT LAKE CITY		
STATE	Utah		
ZIP/POSTAL CODE	84101-2194		
COUNTRY	United States		
PHONE	801-799-5830		
FAX	801-799-5700		
EMAIL	slcipdocket@hollandhart.com		
AUTHORIZED EMAIL COMMUNICATION	Yes		
CORRESPONDENCE SECTION			
ORIGINAL ADDRESS	L. GRANT FOSTER HOLLAND & HART LLP 222 S MAIN ST STE 2200 SALT LAKE CITY Utah (UT) United States (USX) 84101-2194		
NEW CORRESPONDENCE SECTION			
NAME L. Grant Foster			
FIRM NAME	Holland & Hart LLP		
DOCKET/REFERENCE NUMBER	46264.0074		
STREET	222 S MAIN ST STE 2200		
CITY	SALT LAKE CITY		
STATE	Utah		
ZIP/POSTAL CODE	84101-2194		
COUNTRY	United States		
PHONE	801-799-5830		
FAX	801-799-5700		

EMAIL	slcipdocket@hollandhart.com;gfoster@hollandhart.com; klanderson@hollandhart.com; kcase@hollandhart.com		
	<u>'</u>		
AUTHORIZED EMAIL COMMUNICATION	Yes		
PAYMENT SECTION			
TOTAL AMOUNT	100		
TOTAL FEES DUE	100		
SIGNATURE SECTION			
DECLARATION SIGNATURE	/tdickson/		
SIGNATORY'S NAME	Thomas D. Dickson, Jr.		
SIGNATORY'S POSITION	Founder		
DATE SIGNED	12/08/2014		
REQUEST SIGNATURE	/L. Grant Foster/		
SIGNATORY'S NAME	L. Grant Foster		
SIGNATORY'S POSITION	Attorney of Record		
DATE SIGNED 12/08/2014			
AUTHORIZED SIGNATORY YES			
CONCURRENT § 8, 8 &15, OR 8 &9 FILED NO			
FILING INFORMATION SECTION			
SUBMIT DATE	Mon Dec 08 18:53:34 EST 2014		
TEAS STAMP	USPTO/S7R-XX.XXX.XXX.XXX-2 0141208185334655625-40507 65-50036293c85c4d7358f1d3 8c3f1529bae3bcb470414c9c9 6e0e9a94c967a268534-DA-57 44-20141208142215852800		

PTO Form 1597 (Rev 11/2007) OMB No. 0651-0055 (Exp. 07/31/2018)

## **Section 7 Request Form**

## **To the Commissioner for Trademarks:**

The registrant requests the following amendment(s) to registration no. **4050765** Miscellaneous Mark (Stylized and/or with Design, see http://tsdr.uspto.gov/img/85203654/large) has been amended as follows:

# **EXPLANATION OF FILING**

Applicant respectfully requests that the date of first use anywhere and the date of first use in commerce be amended from 10/07/2010 to 03/00/2000 and a new certificate be issued.

## CLASSIFICATION AND LISTING OF GOODS/SERVICES

Registrant proposes to amend the following class of goods/services in the application:

**Current:** Class 007 for ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The registrant is using the mark in commerce, or the registrant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/07/2010 and first used in commerce at least as early as 10/07/2010, and is now in use in such commerce.

Proposed: Class 007 for ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION

**Filing Basis: Section 1(a), Use in Commerce:** The registrant is using the mark in commerce, or the registrant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 03/00/2000 and first used in commerce at least as early as 03/00/2000, and is now in use in such commerce.

### OWNER AND/OR ENTITY INFORMATION

Registrant proposes to amend the following:

Current: K-TEC, Inc., a corporation of Utah, having an address of

1206 South 1680 West Orem, Utah 84058 United States

Proposed: K-TEC, Inc., a corporation of Utah, having an address of

1206 South 1680 West Orem, Utah 84058 United States

#### ATTORNEY INFORMATION

Registrant proposes to amend the following:

Current: L. GRANT FOSTER HOLLAND & HART LLP 222 S MAIN ST STE 2200 SALT LAKE CITY Utah (UT) United States (USX) 84101-2194

**Proposed:** L. Grant Foster, having an address of 222 S MAIN ST STE 2200 SALT LAKE CITY, Utah United States 84101-2194, whose e-mail address is slcipdocket@hollandhart.com, whose phone number is 801-799-5830 and whose fax number is 801-799-5700. The attorney docket/reference number is 46264.0074.

#### CORRESPONDENCE ADDRESS CHANGE

Registrant proposes to amend the following:

Current: L. GRANT FOSTER HOLLAND & HART LLP 222 S MAIN ST STE 2200 SALT LAKE CITY Utah (UT) United States (USX) 84101-2194

**Proposed:** L. Grant Foster of Holland & Hart LLP, having an address of 222 S MAIN ST STE 2200 SALT LAKE CITY, Utah United States 84101-2194, whose e-mail address is slcipdocket@hollandhart.com;gfoster@hollandhart.com; klanderson@hollandhart.com; kcase@hollandhart.com, whose phone number is 801-799-5830 and whose fax number is 801-799-5700. The docket/reference number is 46264.0074.

#### FEE(S)

Fee(s) in the amount of \$100 is being submitted.

## SIGNATURE(S)

#### **Declaration Signature**

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this submission, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /tdickson/ Date: 12/08/2014 Signatory's Name: Thomas D. Dickson, Jr.

Signatory's Position: Founder Signatory's Phone: 8012220888

# Request Signature

Signature: /L. Grant Foster/ Date: 12/08/2014

Signatory's Name: L. Grant Foster Signatory's Position: Attorney of Record

Signatory's Phone: 801-799-5830

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the registrant's attorney or an

associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the registrant in this matter: (1) the registrant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the registrant has filed a power of attorney appointing him/her in this matter; or (4) the registrant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is NOT filing a Declaration of Use of Mark under Section 8; a Combined Declaration of Use of Mark under Sections 8 & 15; or a Combined Declaration of Use of Mark/Application for Renewal of Registration of Mark under Sections 8 & 9 in conjunction with this Section 7 Request.

Mailing Address: L. Grant Foster

Holland & Hart LLP 222 S MAIN ST STE 2200 SALT LAKE CITY, Utah 84101-2194

RAM Sale Number: 4050765

RAM Accounting Date: 12/09/2014

Serial Number: 85203654

Internet Transmission Date: Mon Dec 08 18:53:34 EST 2014

TEAS Stamp: USPTO/S7R-XX.XXX.XXX.XXX-2014120818533465

5625-4050765-50036293c85c4d7358f1d38c3f1 529bae3bcb470414c9c96e0e9a94c967a268534-

DA-5744-20141208142215852800

# ROUTING SHEET TO POST REGISTRATION (PRU)

**Registration Number:** 4050765

PageID.2534





RAM Sale Number: 4050765

\$100 RAM Accounting Date: 20141209 **Total Fees:** 

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	Fee <u>Code</u>	Transaction <u>Date</u>	Fee per <u>Class</u>	Number of Classes	Total <u>Fee</u>	
§7 request		20141208	\$0	0	0	\$100

Physical Location: MADCD- ALEX. CENTRAL DOCKET

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20141208



PTO Form 1553 (Rev 9/2005) OMB No. 0651-0054 (Exp. 09/30/2011)

# **Trademark/Service Mark Statement of Use** (15 U.S.C. Section 1051(d))

35 of 49

Document 122-14

# The table below presents the data as entered.

Input Field	Entered		
SERIAL NUMBER	85203654		
LAW OFFICE ASSIGNED	LAW OFFICE 112		
EXTENSION OF USE	NO		
MARK SECTION			
OWNER SECTION (no change)			
GOODS AND/OR SERVICES SECTION			
INTERNATIONAL CLASS	007		
CURRENT IDENTIFICATION	ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION		
GOODS OR SERVICES	KEEP ALL LISTED		
FIRST USE ANYWHERE DATE	10/07/2010		
FIRST USE IN COMMERCE DATE	10/07/2010		
SPECIMEN FILE NAME(S)	\\\TICRS\EXPORT11\IMAGEOUT 11\852\036\85203654\xml7\\\SOU0002.JPG		
SPECIMEN DESCRIPTION	a photograph of the product		
REQUEST TO DIVIDE	NO		
PAYMENT SECTION			
NUMBER OF CLASSES IN USE	1		
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100		
TOTAL AMOUNT	100		
SIGNATURE SECTION			
DECLARATION SIGNATURE	/Thomas D Dickson Jr/		
SIGNATORY'S NAME	Thomas D. Dickson, Jr.		
SIGNATORY'S POSITION	CEO		
DATE SIGNED	08/31/2011		
FILING INFORMATION			
SUBMIT DATE	Thu Sep 01 10:27:17 EDT 2011		
TEAS STAMP	USPTO/SOU-XX.XXX.XXX.XX-2 0110901102717320432-85203 654-4805dc1c6e2fef9790447 c5838ab528271-DA-21503-20 110829164940898130		

PTO Form 1553 (Rev 9/2005)

OMB No. 0651-0054 (Exp. 09/30/2011)

# Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

To the Commissioner for Trademarks:

MARK: Miscellaneous Mark (stylized and/or with design)

SERIAL NUMBER: 85203654

The applicant, K-TEC, Inc., having an address of 1206 South 1680 West Orem, Utah 84058 United States is submitting the following allegation of use information:

For International Class 007:

Current identification: ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION

The mark is in use in commerce on or in connection with all goods or services listed in the application or Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 10/07/2010, and first used in commerce at least as early as 10/07/2010, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) a photograph of the product. Specimen File1

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

#### Declaration

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Thomas D Dickson Jr/ Date Signed: 08/31/2011

Signatory's Name: Thomas D. Dickson, Jr.

Signatory's Position: CEO

RAM Sale Number: 21503 RAM Accounting Date: 09/01/2011

Serial Number: 85203654

Internet Transmission Date: Thu Sep 01 10:27:17 EDT 2011

TEAS Stamp: USPTO/SOU-XX.XXX.XXX.XXX-2011090110271732

 $0432\text{-}85203654\text{-}4805 dc1c6 e2fef 9790447c5838} \\ ab528271\text{-}DA\text{-}21503\text{-}20110829164940898130}$ 

Case 2:21-cv-00668-TC-DBP Document 122-14 Filed 05/16/23 PageID.2539 Page 39 of 49



FEE RECORD SHEET

Serial Number: 85203654

Page

RAM Sale Number: 21503 Total Fees: \$100

RAM Accounting Date: 20110901

<u>Transaction</u>	Fee <u>Code</u>	Transaction <u>Date</u>	Fee per <u>Class</u>	Number of Classes	Total <u>Fee</u>
Statement of Use (SOU)	7003	20110901	\$100	1	\$100

**Transaction Date:** 20110901







# **Trademark/Service Mark Application, Principal Register**

**Serial Number: 85203654 Filing Date: 12/22/2010** 

## The table below presents the data as entered.

Input Field	Entered			
SERIAL NUMBER	85203654			
MARK INFORMATION				
*MARK	\\TICRS\EXPORT11\IMAGEOUT 11\852\036\85203654\xml1\ APP0002.JPG			
SPECIAL FORM	YES			
USPTO-GENERATED IMAGE	NO			
COLOR MARK	NO			
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a swirl design.			
PIXEL COUNT ACCEPTABLE	YES			
PIXEL COUNT	694 x 898			
REGISTER	Principal			
APPLICANT INFORMATION				
*OWNER OF MARK	K-TEC, Inc.			
*STREET	1206 South 1680 West			
*CITY	Orem			
*STATE (Required for U.S. applicants)	Utah			
*COUNTRY	United States			
*ZIP/POSTAL CODE (Required for U.S. applicants only)	84058			
LEGAL ENTITY INFORMATION				
ТҮРЕ	corporation			
STATE/COUNTRY OF INCORPORATION	Utah			
GOODS AND/OR SERVICES AND BASIS INFORMATION				
INTERNATIONAL CLASS	007			
*IDENTIFICATION	ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION			
FILING BASIS	SECTION 1(b)			
ATTORNEY INFORMATION				
NAME	L. Grant Foster			
ATTORNEY DOCKET NUMBER	46264.0074			

FIRM NAME	Holland & Hart LLP			
INTERNAL ADDRESS	P.O. Box 11583			
STREET	222 South Main Street, Suite 2200			
CITY	Salt Lake City			
STATE	Utah			
COUNTRY	United States			
ZIP/POSTAL CODE	84101			
PHONE	801-799-5830			
FAX	801-799-5700			
EMAIL ADDRESS	slcipdocket@hollandhart.com			
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes			
OTHER APPOINTED ATTORNEY	Brett L. Foster, Mark A. Miller, H. Matthew Horlacher, Scott C. Nielson, J. Scott Karren, Joshua N. Randall, Bradley B. Jensen, and Bryan G. Pratt			
CORRESPONDENCE INFORMATION				
NAME	L. Grant Foster			
FIRM NAME	Holland & Hart LLP			
INTERNAL ADDRESS	P.O. Box 11583			
STREET	222 South Main Street, Suite 2200			
CITY	Salt Lake City			
STATE	Utah			
COUNTRY	United States			
ZIP/POSTAL CODE	84101			
PHONE	801-799-5830			
FAX	801-799-5700			
EMAIL ADDRESS	slcipdocket@hollandhart.com			
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes			
FEE INFORMATION				
NUMBER OF CLASSES	1			
FEE PER CLASS	325			
*TOTAL FEE DUE	325			
*TOTAL FEE PAID	325			
SIGNATURE INFORMATION				
SIGNATURE	/Tom Dickson/			
SIGNATORY'S NAME	Thomas D. Dickson, Jr.			
SIGNATORY'S POSITION	CEO			
DATE SIGNED	12/22/2010			

PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2011)

#### Trademark/Service Mark Application, Principal Register

Serial Number: 85203654 Filing Date: 12/22/2010

#### To the Commissioner for Trademarks:

MARK: (Stylized and/or Design, see mark)

The applicant is not claiming color as a feature of the mark. The mark consists of a swirl design.

The applicant, K-TEC, Inc., a corporation of Utah, having an address of

1206 South 1680 West Orem, Utah 84058 United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 007: ELECTRIC FOOD BLENDERS FOR USE IN THE FIELD OF FOOD AND DRINK PREPARATION Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

L. Grant Foster and Brett L. Foster, Mark A. Miller, H. Matthew Horlacher, Scott C. Nielson, J. Scott Karren, Joshua N. Randall, Bradley B. Jensen, and Bryan G. Pratt of Holland & Hart LLP

P.O. Box 11583 222 South Main Street, Suite 2200 Salt Lake City, Utah 84101 United States

The attorney docket/reference number is 46264.0074.

The applicant's current Correspondence Information:

L. Grant Foster
Holland & Hart LLP
P.O. Box 11583
222 South Main Street, Suite 2200
Salt Lake City, Utah 84101
801-799-5830(phone)
801-799-5700(fax)
slcipdocket@hollandhart.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Tom Dickson/ Date Signed: 12/22/2010

Signatory's Name: Thomas D. Dickson, Jr.

Signatory's Position: CEO

RAM Sale Number: 11376

RAM Accounting Date: 12/22/2010

Serial Number: 85203654

Internet Transmission Date: Wed Dec 22 11:18:06 EST 2010

TEAS Stamp: USPTO/BAS-XXX.XXX.XX.XX-2010122211180663

6467-85203654-470169b3f433af5bca1b445e8d 622c2d962-DA-11376-20101221171203400410



